

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
NORTHERN DIVISION**

**JAMES GARLAND JOHNS  
ADC #655824**

**PLAINTIFF**

**V. CASE NO. 1:14CV00080-JM-BD**

**GLEND A ROSE AND FERGISON, et al.**

**DEFENDANTS**

**RECOMMENDED DISPOSITION**

**I. Procedures for Filing Objections**

This Recommended Disposition (“Recommendation”) has been sent to United States District Court Judge James M. Moody, Jr. Any party may file written objections to this Recommendation.

Objections must be specific and must include the factual or legal basis for the objection. An objection to a factual finding must identify the finding of fact believed to be wrong and describe the evidence that supports that belief.

An original and one copy of your objections must be received in the office of the United States District Court Clerk within fourteen (14) days of this Recommendation. A copy will be furnished to the opposing party.

If no objections are filed, Judge Moody can adopt this Recommendation without independently reviewing all of the evidence in the record. By not objecting, you may also waive any right to appeal questions of fact.

Mail objections to:

Clerk, United States District Court  
Eastern District of Arkansas  
600 West Capitol Avenue, Suite A149  
Little Rock, AR 72201-3325

## **II. Discussion**

On July 14, 2014, James Garland Johns filed this lawsuit pro se under 42 U.S.C. § 1983, while he was being held at the Independence County Detention Facility. He also moved for leave to proceed *in forma pauperis* (“IFP”). (Docket entries #1, #2) Mr. Johns’s motion to proceed IFP was incomplete, so he was given thirty days to submit all necessary documentation. The Court cautioned Mr. Johns that if he did not pay the filing fee or submit a complete IFP application, his case could be dismissed. To date, Mr. Johns has not complied with this Court’s July 15, 2014 Order; thus, the filing fee issue remains unresolved.

The Court recommends that Mr. Johns’s claims be dismissed, without prejudice, under Local Rule 5.5(c)(2), for failure to comply with the Court’s Order of July 15, 2014.

DATED this 18th day of August, 2014.

  
UNITED STATES MAGISTRATE JUDGE